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THE SHEEP-KILLING DOG

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FARMERS' BULLETIN 935

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WOOL AND MUTTON are commanding higher prices than ever before, and supplies of wool are being depleted so rapidly that it will take some time after peace is declared to restock the wool trade.

The sheep-killing dog constitutes one of the greatest menaces to the success of the sheep industry.

The dog not only kills sheep but keeps out of the sheep business men who are otherwise inclined to go into it.

The most effective method of dealing with the sheep-killing dog is through efficient legislation.

Notable progress has been made by several States in enacting good dog laws, and others are expected to take similar action.

No law, however well worded it may be, can be effective unless it is enforced and has the moral support of the people who are affected by it.

Uniform State dog laws are desirable.

THE SHEEP-KILLING DOG.¹

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PRESENT STATUS OF THE SHEEP INDUSTRY.

Advancing prices for mutton, lamb, and wool have proved a stimulus for increasing the number of sheep kept on farms in the United States. Farmers in the East and in the Middle West are beginning to realize that sheep fit in well with any system of intensified farming and can be profitably kept without replacing other farm animals. Scientific management has demonstrated that parasites of sheep, once a source of great loss among flocks, are now within control by the farmer. The use of pastures and forage crops as supplements to the grain rations has been shown to be one of the most economical methods of fattening lambs for market. The 70-pound lamb is more popular today than ever before. Wool is in great demand at the highest prices in the history of the country. The war needs of the United States and her allies make it imperative that the numbers of live stock be substantially increased. The whole of Europe is contending with a great shortage of all classes of live stock and is facing a problem in the rehabilitation of the supply of farm animals that will not be solved for years after the war is over. The entire world is in need of wool, and it will take some time after peace is declared to restock the wool trade. The need of an increased meat supply and the necessity of a greater wool supply should make the sheep one of the most profitable of farm animals.

In the past various reasons have been ascribed as the causes for the constant decrease in the number of sheep kept on farms. The competition with western range sheep, low values for both mutton and wool, parasites internal and external, and greater profits to be derived from dairying have all had their part in discouraging flockmasters. But men who have entered the sheep business and have failed to find the keeping of sheep profitable are agreed that one of the greatest causes for their discouragement has been the sheep-killing dog.

The sheep-killing dog at the present time is still recognized as the greatest enemy of the eastern sheep owner. Thousands of sheep

¹ This bulletin supersedes Farmers' Bulletin 652.

are ruthlessly killed every year by dogs, causing a monetary loss to sheep owners of well over a million dollars annually. Yet the greatest setback of all which the dog causes to the farm sheep industry as a whole consists in keeping out of the business men who are otherwise inclined to go into it. No farmer who wants to raise sheep is likely to attempt it while his neighbors' flocks are being killed outright or chased to death. The moral effect upon all persons who have seen sheep which have been wantonly destroyed or maimed by dogs is even more destructive to the industry than is the actual damage sustained. The humanitarian point of view alone should be of sufficient import to cause steps to be taken to put a stop to the depredation of the dog.

NUMBER OF SHEEP KILLED BY DOGS.

That dogs are a real hindrance to the sheep industry is not only acclaimed by the testimony of thousands of sheep owners, but is verified by actual conservative statistics.

An investigation by the United States Department of Agriculture among sheep owners in 15 States east of the Rocky Mountains shows that out of a total of 6,836,492 sheep in the 502 counties reporting there were 34,683 killed by dogs in one year (1913) and paid for by the counties. At the same rate of loss in other farm States the total annual destruction of sheep by dogs would be 107,760 head. But these figures are based only upon the number actually paid for, and it is more than probable that the true losses far exceed this. It is known that many sheep are killed which are never reported to the county officials.

In 1913 crop reporters in 36 farm States submitted estimates which showed that the number of sheep in those States could be increased 150 per cent without displacing other live stock. Such an increase would place approximately 34,000,000 more sheep in these States than there are now. Of 1,411 answers received to the question as to whether sheep raising is profitable in the farm States, 887 answered "Yes." Of 894 answers as to the causes preventing increase in the numbers of sheep, 531 said "Dogs."

HABITS OF THE SHEEP-KILLING DOG.

Sheep-killing dogs work both singly and in groups, but usually in twos or threes. They do not limit their attacks to the flocks of the immediate vicinity in which they are kept, but travel for miles in all directions, spreading destruction in the flocks with which they come in contact. Because their work is so often done under the cover of darkness it is almost impossible to catch them in the act of worrying sheep, hence they can seldom be positively identified.

The ways in which different dogs attack and destroy sheep vary greatly. Some dogs simply kill one or two in a flock, while others continue the attack until all the sheep are either destroyed or

crippled. In many cases where large numbers are killed they are neither bitten nor wounded but simply chased until they die from exhaustion.

After a dog has once formed the habit of killing sheep it seemingly becomes a mania with him and he is seldom if ever broken of it. He not only destroys sheep himself but leads other dogs to the work. No consideration should be given such dogs; if additional losses from this source are to be avoided, they should be killed as soon as their habits are known.

HOW DOG LOVERS CAN AID.

The dog rightfully holds a strong place in the minds and affections of men. The owner of a good dog finds in him a most faithful friend. But it sometimes happens that the dog most highly esteemed is also one that kills and worries the most sheep and is the most cunning in obscuring the evidences of his guilt. A well-bred dog's habit of lying innocently asleep in the front yard during the daytime is no proof that the same dog does not kill sheep at night. Because of the economic loss occasioned by sheep-killing dogs, and because such dogs bring the whole of their kind into bad repute, the true admirers and friends of this animal should help to further any steps likely to result in the limitation of the activity of these discrediting members of a noble race. One of the most practicable methods of accomplishing this result seems to be to place upon dogs such a tax as will reduce the number of superfluous ones and result in fewer being kept by persons who can not or will not give them the attention necessary to prevent the formation of habits and associations that lead to sheep killing.

DOG-PROOF FENCES.

A fence constructed in such a way as to be proof against dogs and coyotes has been designed and tried out by the Forest Service of the United States Department of Agriculture. A diagram showing the construction of such a fence is shown in figure 1. Small holes appearing after the wire is stretched can be filled in with dirt or other material.

Specifications for the dog-proof fence:

Posts $7\frac{1}{2}$ feet in length, set $2\frac{1}{2}$ feet in the ground and 16 feet apart; a barbed wire stretched flat to the surface of the ground; 3 inches higher a 36-inch woven-wire fence having a 4-inch triangular mesh; 5 inches higher a barbed wire; 6 inches higher a second barbed wire; 7 inches above this a third barbed wire. Total height, 57 inches.

It is essential that the bottom barbed wire be stretched flat on the surface of the ground at all points. This is accomplished by grading the ground before the fence is built and by filling in the small holes afterwards.

The farmer who does not object to placing his flock in a corral each night may eliminate the expense of building dog-proof fences around his entire farm by inclosing a small area with such a fence and making a practice of placing his flock therein at night. For such a purpose a 6-foot woven-wire fence such as that shown in figure 2 is suitable, but the coyote-proof fence constructed partly of barbed wire (fig. 1) is more efficient. Both dogs and coyotes are very shy of barbed wire.

DOG LAWS.

The desirability of a maximum increase in the number of sheep is generally admitted, and steps are being taken at the present time toward a rehabilitation of the sheep industry. It is recognized that

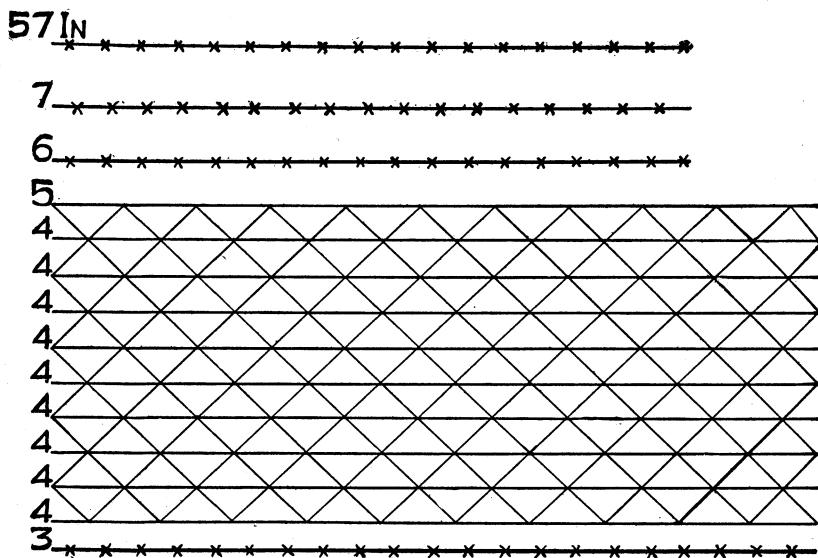


FIG. 1.—A dog-proof fence.

one of the most effective means of insuring the farmer a profit on sheep is to make and enforce laws against the sheep-killing dog. Several States have recently passed laws which adequately protect the farmer's flock, but in most of the States the present dog laws fail in their purpose. Failure may also be caused by the nonenforcement of a good law already in existence, but more often it is caused by the nonexistence of a good law.

The following general discussion of those phases in the present dog laws of the farm States which should aid in the solution of the dog problem as related to the sheep industry will suffice to give an idea of the text of such laws.

Many of the States now levy dog taxes directly through the legislature, but there are still a number which empower cities and towns to tax dogs at their discretion. A State law which provides compensation for damages done by dogs has an advantage over municipal

dog laws in that it gives the farmer compensation for damages done by dogs which live in the cities. Fortunately, most of the States where dogs are taxed only by the cities and towns are found in the western range country where the dog menace to the sheep industry is not nearly so pronounced as it is east of the Missouri River. The annual tax on dogs varies from 50 cents to \$6 a head. Unspayed females usually are taxed at a higher rate than either males or spayed females.

There is no general method employed by the States in collecting dog taxes. Many States assess dogs along with other property and collect the tax as a personal one. This method enables the assessor to call personally on all the taxpayers, and it seems logical to suppose that a more complete list of dog owners can be obtained in this way.

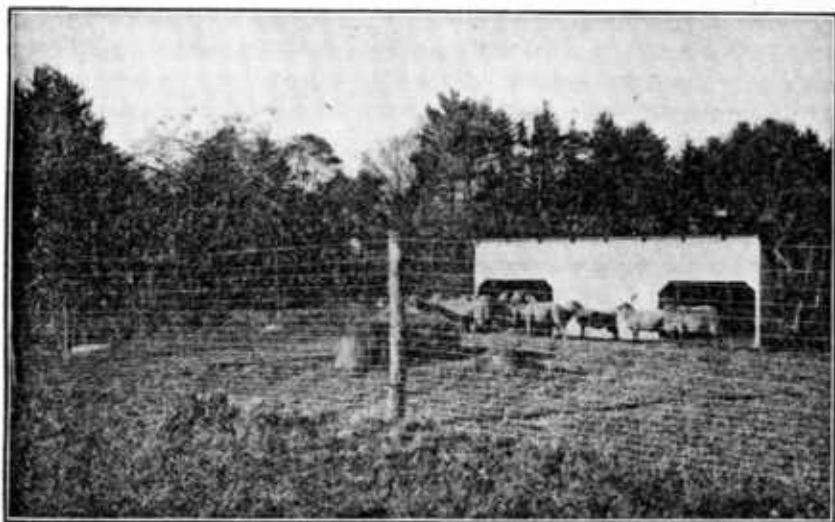


FIG. 2.—A dog-proof fenced lot in which sheep may be placed at night.

That is the case also where dog owners are required to visit the town clerk's office and present their dogs for registry. If the law levies a sufficiently high tax on dogs the collection of the tax is one of the most vital points in insuring the success of the law.

IDENTIFICATION OF LICENSED DOGS.

Not all of the States require that licensed dogs be identified. In those requiring it they are usually identified upon the registry books of the office issuing the license, by a statement of the breed, sex, and age, and a description giving color markings. To the public they are identified by a collar bearing a metal tag upon which is stamped the registry number of the dog, the year for which the license is issued, the place of issue or the State issuing the license, and in some cases the name of the owner of the dog. Nearly all of the States furnish

such tags when the dog tax is paid, and a few furnish collars also. The practice of requiring the name of the owner of the dog to be stamped on the tag is to be commended, as it aids materially in establishing the identity of any dog caught in an act of wrongdoing. It is an easy matter for anyone to misread the number of a license.

DESTROYING THE SHEEP-KILLING DOG.

With few exceptions, the State laws allow anyone to kill a dog caught in the act of chasing, killing, or worrying sheep on land not owned by the owner of the dog. It is a provision which should be included in all State laws. Other conditions under which some of the States permit such dogs to be killed by anyone are:

1. When found at large unattended and without a collar bearing the registry number.
2. When found at large after having been proved to be sheep killers.
3. When found at large and unattended, between sunset and sunrise, on a farm where sheep are kept.

Many States have laws making it a misdemeanor punishable by fine or imprisonment to keep a dog which is known to have killed sheep.

A clause such as that found in Pennsylvania's dog law (enacted in 1917) requiring all dogs not under control to be confined between sunset and sunrise is highly desirable. Most of the damage by dogs is done at night, and it would seem that if such a law is effectually carried out the menace to the live-stock industry will be materially curtailed. Well-bred dogs and dogs highly prized by their owners are usually kept confined or restrained by their masters voluntarily; consequently such a clause works no great hardship on the owners of such dogs.

COMPENSATION TO SHEEP OWNERS.

The most recent laws provide for compensating the sheep owner from the dog-tax fund for losses caused by dogs. Damages are usually appraised by two or three disinterested persons appointed by the justice of the peace and residing in the locality wherein the loss has been sustained. In appraising the damage it is desirable to allow the full value.

Practically all of the States hold the dog owner liable for damages done by his dog. While this is a good clause, it should not supplant compensation by the State. The dog owner should be held liable to the State for damages paid out by the State. To one unfamiliar with the workings of dog laws it may seem that holding the dog owner liable is an effective method of protecting the flockmaster, but it must be remembered that in very few instances is it possible to ascertain the owner of the dog which has done the damage. Without compensation by the State the sheep owner has small protection from the dog nuisance.

Some of the State laws provide for the payment of damages only once a year and for prorating the damages if the dog fund is insufficient to allow for full compensation. The danger of having to prorate the amount paid out can be partially eliminated by increasing the dog-tax fund.

Possibly the most important consideration to bear in mind in drawing up a good dog law is to have a law that will command the moral support of the people. A poor law well enforced may be more protection to a sheep owner than a good law the enforcement of which is ignored by the people. A law must have behind it the will of the people if it is to be enforced by the authorities.

The ideal law is one which makes prevention of damage the major consideration rather than compensation for damage already sustained. Cooperation by the people and the publishing and distribution of copies of the law can be made of great benefit. Ignorance of such laws as do exist is often accountable for the little attention paid them.

UNIFORM STATE DOG LAWS.

It is believed that similar laws for all States, so enacted and enforced as to prevent damage to flocks by controlling and limiting the number of dogs and at the same time allowing the farmer greater leeway in protecting his flocks, will go far toward encouraging sheep raising and bring about a proportional increase in the number of sheep. With this in view an outline for a suggested dog law, combining parts of various State laws with some added features calculated to give the sheep owner the benefit in cases where proof of facts is difficult, is here presented. This is not the text of a complete dog law that will fit conditions in all States, but is intended as a suggestion which may be helpful in the preparation of future State dog laws.

OUTLINE FOR A SUGGESTED STATE DOG LAW.

1. All dogs over six months old to be listed by the county tax assessor at the time of listing other taxable property. (A more complete list of dog owners is obtained in this way than is the case when the dog owners are required to list their dogs.)

Tax to be as follows:

One male or spayed female	\$2
Each additional male or spayed female	3
Each unspayed female	5

Kennel licenses to be issued with restrictions.

2. Dog owners to pay their dog tax and obtain a dog license at the same time other taxes are paid, unless proof is furnished that the dog has been disposed of.

3. Counties to furnish metal tags bearing the registration number of the dog and the name of the dog's owner. (This would eliminate any question arising as to the owner of a dog found at large or in the act of worrying stock.)

4. Provide for the impounding and, after a reasonable term of impoundment, the humane destruction of dogs found at large without collars bearing license tags.

5. All dogs to be confined from sunset to sunrise unless under leash or under reasonable control of their owners.

6. Dogs found at large between sunset and sunrise to be impounded and owner notified. Owner to regain custody of dog on paying a fine for violation of the law.

7. Any dog, registered or unregistered, may be killed by anyone when caught in the act of chasing, worrying, injuring, or killing sheep. Dog owner to have no recourse for the killing of such dog.

8. Any dog found running at large upon the inclosed lands of a person other than the owner of the dog may be killed at the time of finding him by the owner of the land, his agent, tenant, or employee.

9. Stock owners suffering losses from dogs to report the same to the local justice of the peace. Justice of the peace to appoint a committee of two or three disinterested farmers residing in the locality where the loss has been incurred, to appraise the damages. Committee to give the sheep owner a certificate showing in detail what the damages consist of and the amount. Damages beyond the value of the sheep actually killed outright should be allowed. Farmer to present the certificate to county commissioners to be passed on at the next session.

10. Compensation to be taken from money derived from the dog tax. Access to be had to State fund if dog-tax fund is insufficient to pay all claims.

11. Dog owner to be held liable to the county for all money paid out by the county for damages done by his dog, plus all costs of suit.

12. Reward of at least \$10 to be offered by the county for the identification and proof of a sheep-killing dog.

13. Owner of a dog known to kill sheep to be required to kill, or cause to be killed, such dog within 48 hours after notification under penalty of \$5 and \$1 per day thereafter until such dog is killed.

14. Sheep owner to be allowed to set out poison on his farm if he gives public notice of same.

15. Enforcement of the law to be the duty of every police officer in the State. State to furnish sufficient assistance, if necessary, to carry out all of the provisions of the act.

The suggestion is offered that sheep-breeders' associations or wool-growers associations prepare mimeographed copies of the State dog law or a digest of the law featuring its salient points, and make arrangements with the officials issuing dog licenses to furnish each dog owner with a copy. Farmers should post in some conspicuous place on the farm the essential features of the law in order to warn the public of the rights which the law gives the farmer to kill dogs.

DIGEST OF EXISTING STATE DOG LAWS.

For the guidance of those who are interested in promoting legislation against sheep-killing dogs, there is presented here a digest of the existing dog laws of each State. This résumé does not set forth every item of the laws, but features the more important clauses as related to the protection of sheep.

ALABAMA.

Enacted 1915.

All dogs in Alabama over four months old are taxed \$1 per head. The dogs are listed by the tax assessor and the taxes are collected as other taxes are. The law provides that owners of sheep who suffer losses from dogs report the loss to the district justice of the peace. The justice of the peace appoints two disinterested freeholders to examine and appraise the damages and the county pays the farmers the amount of the appraisement. Dog owners are held liable for damages done to persons if the damage is done off the dog owner's premises. Licensed dogs are given the same protection as other live stock. No person is allowed to keep a dog which has been known to kill or worry sheep and no action can be maintained against anyone for killing such a dog. Persons knowingly keeping a sheep-killing dog are liable for double the amount of the damages sustained. Indemnities for damage are taken from the dog tax fund. A further provision is that dogs must be confined at all times unless accompanied by their owners, but this provision must be adopted by the courts of the different counties before it is in force.

ARIZONA.

Revised Statutes of 1901 and Code of 1913.

The owner or keeper of any male dog four months old or over within one mile of the postoffice of any town of 1,500 population or more is required to pay a fee of \$1 and for females \$2. The constable of each precinct lists the dogs. Licensed dogs are required to wear a collar bearing a metal tag with the current year stamped on it, and the law requires that all dogs found at large without collars and tags be killed. No one can shoot, cripple, or poison a licensed dog. Moneys derived from the dog tax are used toward the public school fund. Cities and towns may also impose a license tax and adopt ordinances restraining dogs from running at large. No provisions are made to compensate owners of sheep for losses sustained through dogs.

ARKANSAS.

Enacted 1887. From "Digest of Statutes," 1916.

Arkansas empowers the council of any municipal corporation to place a tax on dogs, prevent them from running at large, and to authorize the destruction of dogs at its discretion. The owner of a dog is held liable for damages to sheep which are committed by the dog. If the sheep owner recognizes the dog and knows to whom it belongs, he takes action against the owner through the justice of the peace. Dog owners are liable for double the amount of damages done to sheep for a second offense committed by a dog belonging to the same owner.

CALIFORNIA.

1872. Civil Code, 1915.

All male dogs in the State which are over four months old are subject to a tax of \$1, and all females over four months of age, \$3. The dogs are listed by the assessors and taxes collected as other taxes. For each additional male

there is a tax of \$2. Dog owners are held liable for damages and costs of suit for all sheep, goats, or poultry killed or injured. It is not necessary for the dog owner to have had previous knowledge that the dog would worry, kill or wound sheep. If the dog is found in the act it may be killed at the time by anyone and the owner of the dog has no recourse. No provision is made for compensation to sheep owners unless the owner of the dog is known or is ascertained.

COLORADO.

Revised Statutes, 1912.

City councils are empowered to restrain dogs from running at large and to impose a license fee upon them. "Any dog found worrying or injuring sheep or cattle may be killed and the owner or harbinger of such dog shall be liable for all damages done by it."

CONNECTICUT.

As amended in 1911.

Dogs are to be registered when 6 months old. Male dogs and spayed females are taxed \$1 and unspayed females \$5. The dogs are registered at the town clerk's office by the owners. An additional fee of 25 cents is charged for registration of the dog and issuance of the license tag. The license tag bears the name of the town where tag is issued and the license number, and must be worn by the dog at all times. The selectmen of each town appoint a dog warden whose instructions are to impound every dog found without a collar and plate. If the owner of such a dog is known he is notified and given an opportunity to reclaim the dog, otherwise the dog is killed after 72 hours or sold for not less than \$5. Dogs found "pursuing, harassing, wounding, or worrying" any sheep, lambs, or other domestic animals may be killed by anyone. Dogs found at large between sunset and sunrise on a farm where sheep are kept may be killed unless the dog is owned by the occupant of the farm next adjoining that on which the sheep kept or next adjoining any highway which abuts such farm, or unless the dog is under muzzle or is accompanied by or within call of his owner. But even such a dog may be killed if there is reasonable apprehension that if not killed he will cause damage to domestic animals or if he has not a collar and plate.

Damages from dogs are reported by the sheep owner to a selectman of the town. The selectman and one other person who is named by the sheep owner appraise the damages. The town wherein the dog is registered pays the appraised damages and may recover from the dog owner if the owner is known. When the identity of such dogs has been established the "selectman shall order that such dogs shall be killed forthwith." The commissioner of domestic animals may make further regulations.

DELAWARE.

1893. From Revised Code of 1915.

Delaware's dog laws cover only two of the three counties in the State, the counties of New Castle and Sussex. In New Castle County the dogs are listed by the county assessors. Male dogs are taxed 50 cents and females \$2. There is a further tax of \$1 on each additional male dog. Sheep owners who suffer losses from dogs notify three "disinterested farmers" residing in the "hundred" where the loss occurs, and this committee of three appraises the damages. The committee gives the sheep owner a certificate showing the amount of the loss sustained. The sheep owner presents the certificate to the county treasurer, who pays the amount out of the collected dog taxes. The maximum amount which may be paid for losses is \$5 for a sheep and \$3 for a lamb. Any person may kill any dog not on the assessment list which is found at large without an owner. Any person may kill any dog caught in the act of killing or worrying sheep or lambs.

FLORIDA.

Compiled Laws, 1914.

The city and town councils are empowered to license and restrict the running at large of dogs. "Owners of dogs shall be liable for any damage done by their dogs to sheep or other domestic animals or live stock." "It shall be unlawful for any dog known to have killed sheep to roam about over the country unattended by a keeper. Any such dog found roaming over the country unattended shall be deemed a run-about dog and it shall be lawful to kill such dog." No provision is made for the compensation of sheep owners who suffer losses other than making he dog owner liable.

GEORGIA.

Enacted 1912. Code of 1914.

In the State of Georgia all dogs are made personal property and are given in and taxed the same as personal property. This clause makes the dog tax optional with each county. The only clause in the law which covers the entire State is one which states that owners of dogs are liable for damages and full costs of suit for injury done to live stock.

IDAHO.

1908 and 1915.

The session laws of Idaho for 1915 empower cities and villages to impose a tax on dogs of not less than \$3 or more than \$10 and to destroy any dog whose owner refuses to pay such tax. The 1908 law provides that "The owner, possessor, or harbinger of any dog or animal that kills, worries or wounds any sheep * * * is liable to the owner of the same for the damages and the cost of suit to be recovered before any court of competent jurisdiction." It is not necessary in such a suit to show that the dog owner had knowledge of the fact that the dog would kill sheep. Any person finding any dog off the premises of its owner killing, wounding, or worrying sheep may kill the dog at the time of finding him.

ILLINOIS.

1907. From Revised Statutes 1915-16. Amended 1917.

In Illinois dogs are listed by the county assessors and taxed as other personal property. The assessor issues tags to be worn by dogs for which license is obtained. Males and spayed females are taxed \$1 and unspayed females \$3. City councils are also empowered to tax dogs and restrain them. Sheep owners may put poison on their farms for sheep-killing dogs. Owner of a dog is liable for all damages to sheep and if damages do not exceed \$200 they may be recovered before a justice of the peace. Dogs discovered in the act of chasing sheep or in a condition showing that they have recently been engaged in chasing or killing sheep may be immediately killed by anyone. Moneys collected from dog taxes are used to pay for damages done to domestic animals by dogs. The owner of the sheep who suffers damages appears before a magistrate and makes affidavit as to the extent of his losses. The proof of damages must be made by at least two witnesses who are freeholders of that county. Recovery of damages from the county is possible only when the dog owner is unknown or is insolvent, but the payment of damages by the county does not bar the sheep owner from recovering damages from the dog owner. The amount of damages paid by the county shall not exceed \$10 per head for sheep killed or injured.

INDIANA.

Revised Statutes 1914.

Dogs are listed by the township assessor and the dog owner pays immediately to the assessor \$1 for each male or spayed female, \$2 for each additional male or spayed female, or \$3 for each unspayed female. It is unlawful for anyone

to keep an unlicensed dog. Any dog known to have chased or worried or killed sheep may be killed by any person if found unaccompanied by its owner or keeper and if anyone keeps a dog which he knows to have chased, worried, or killed sheep, such owner is subject to a fine of from \$10 to \$50. "If any dog shall be found roaming over the country unattended by his master or owner or his owner's agent, it shall be lawful to kill such dog." Money derived from the dog tax is used to pay for damages to stock. The sheep owner reports his loss within 10 days to a township trustee and makes affidavit for losses, supported by two witnesses who are freeholders of the township. The distribution of funds is made only once a year and if the balance on hand is insufficient to satisfy all the claims presented, the money is prorated.

IOWA.

As amended 1917.

The county auditor of each county charges a registration fee of 50 cents on all dogs and furnishes a license tag to each dog owner. No dog is allowed to run at large between sunset and sunrise except while in the chase or accompanied by the owner or trainer. It is unlawful for any dog to run at large between sunset and sunrise unless it has been registered by the county auditor. "Any dog found at large and upon the lands of one other than its owner contrary to the provisions hereof shall be deemed a trespasser and may be lawfully killed by the owner, agent, employee, or occupant of said lands." The act, however, does not apply to dogs owned in cities which have their own dog regulation, while running at large within the limits of such city or town.

In the Code of 1913 provision is made that sheep owners may recover damages done by dogs from the county. Losses are reported within 10 days to the board of supervisors and must be verified by 2 witnesses. The board authorizes payment or disallows payment of damages at its next meeting. Payments are made twice a year and the dog fund is prorated if insufficient.

KANSAS.

General Statutes, 1915.

Dogs 3 months old and over are listed by the assessor. Males and spayed females are taxed \$1 and unspayed females \$2. The tax is collected as other taxes are. Cities are also empowered to tax dogs and to restrict them. If the owner of a dog disclaims ownership he may avoid the dog tax by killing the dog in the presence of the assessor. The 1911 law makes a dog owner liable for damages done to sheep, damages to be recovered in court by the sheep owner. The law of 1868 legalizes killing any dog at any time which may be found worrying or injuring sheep.

KENTUCKY.

1906. General Statutes, 1915.

Dogs over 4 months old are listed by the assessor and taxed \$1 for either sex. Dog tax funds used to indemnify losses of sheep. The sheep owner notifies the magistrate of the district of his damage. The magistrate appoints two disinterested freeholders of the neighborhood to appraise the damages and report same. The report is filed with the county clerk and acted upon by the fiscal court. Dog fund is prorated if insufficient to compensate all damage claims allowed. The dog owner is liable for the damages if they occurred off his premises and court may order such a dog killed. There is a fine of \$10 for failure or refusal to list a dog with the assessor. Unlicensed dogs are to be killed.

LOUISIANA.

Amended 1910. From Revised Statutes, 1915.

Dogs are listed by the assessor. The police juries of the State are required to impose a tax on dogs not to exceed \$2. Dog tax fund is given to school

boards. Police juries are authorized to pass ordinances for the protection of sheep and to impose fines and penalties as they deem proper. There is a heavy fine or imprisonment or both for violating a police jury ordinance. A petition signed by 50 taxpayers of any parish will force the police jury of that parish to pass ordinances regulating dogs. Anyone may kill a sheep-killing dog. A dog owner is liable to a sheep owner for 10 times the damages caused to sheep. Persons knowingly keeping sheep-killing dogs are liable to a \$25 fine or 30 days imprisonment or both.

MAINE.

1909.

Tax assessors list all dogs. Owners must register same with the town clerk. The tax is \$1.15 for males and spayed females and \$5.15 for unspayed females; kennel license \$10.15. Dogs must at all times wear a collar showing the name of owner and dog's registry number. All dogs not licensed are to be killed by police officers. "Whenever any sheep, lambs, or other domestic animals owned by a resident of this State are killed or injured by dogs, such owner may make complaint thereof to the mayor of the city, or to one of the municipal officers of the town or plantation where such damage was done, within seven days after he has knowledge of the same, and thereupon the municipal officers shall investigate the complaint and if satisfied that the said damage was committed by dogs within the limits of their city, town, or plantation, they shall estimate the damage thereof according to the full value and fifty per cent additional, for the purpose for which they are kept, whether as breeders or for other purposes, and direct that the same shall be paid from the town treasury." The town has right of action against the dog owner to recover the amount so paid out. Any person who keeps a dog that kills or injures sheep or lambs is subject to fine of \$50 to \$100 unless dog is killed before case is disposed of. If the dog owner is unknown the State reimburses the owner. Any person may kill any dog caught chasing sheep off the dog owner's land.

MARYLAND.

1912 and 1916.

The State dog laws are applicable only to certain counties. The boards of county commissioners are empowered to levy taxes at the rate of not less than \$1 for males and \$2 for females, with the exception of Hartford County, where a uniform tax of \$1 may be levied. In Allegany County any person may kill any dog found chasing or killing sheep, cattle, or poultry upon the lands of any person other than the owner of the dog, or the dog may be killed if found unattended in an inclosure where sheep are kept, except on the farm of the dog owner. No person has the right of action to recover the value of a dog so killed. The county commissioners pay \$10 to anyone identifying a sheep-killing dog and the owner of the dog is notified to kill it. Failure to kill a dog after being notified to do so subjects the owner to a fine. Montgomery County permits the appointment of appraisers to estimate the damage done by dogs and the county awards compensation to sheep owner. Owner of dog is held liable if he is known. If a dog is known to kill animals or fowls any person may kill the dog and dog owner has no recourse.

MASSACHUSETTS.

As amended 1917.

Under the existing law male dogs and spayed females over 3 months of age are taxed \$2 and unspayed females \$3. Each dog must wear a collar and a license tag showing the name of the owner and the dog's registration number. Any dog found out of the care of its owner and worrying, wounding, or killing sheep on land owned by one other than the owner of the dog may be killed. Cities and towns are empowered to offer rewards up to \$25 for anyone killing

a dog which is found harrassing or killing sheep. Damages are appraised and paid for by the county. In 1917 a provision was added whereby persons who obtained dog licenses promise to restrain the dog from "killing, chasing, or harassing" sheep. Dissatisfaction with the existing statutes led the 1917 legislature to adopt a resolution whereby a commission is to be appointed to inquire into the advisability of amending or supplementing the existing laws. The commission's report is to be ready in January, 1918.

MICHIGAN.

As amended 1917.

Owners of dogs over 4 months old must secure from the clerk of the village or township a metal registration tag and law provides that said tag shall be "securely fastened to the collar of the dog and constantly worn by such dog." Males and spayed females are taxed \$2 and unspayed females \$5. County assessors are also required to list the dogs in each county. Sheriff shall kill dogs for which tax is not paid. Damages to live stock are appraised by a local justice of the peace, who gives a certificate stipulating the amount of the damages to the local clerk of the township or village. The clerk then issues an order, payable to the stock owner, drawn on the treasurer of the township or village. Surplus funds at the end of the year go to the school fund. "Nothing in this act contained shall be construed as limiting the common-law liability of the owner of a dog for damage committed by it." Act does not apply to cities already having ordinances providing for the disposition of fees derived from dog taxes.

MINNESOTA.

As amended 1915.

Village councils are empowered to license dogs and to restrain them from running at large. Dog owners are liable to owners of domestic animals for damages done by their dogs, even though dog owners are unaware of the dogs' bad habits. Persons knowingly keeping a dog which has bitten any domestic animal are liable to a fine of \$5 a day for every day that the dog is kept on such person's premises thereafter. Any dog found injuring or worrying sheep may be killed by anyone and "any owner of sheep may kill any dog found on his premises where sheep are kept, if not under the restraint or control of his owner or other person."

MISSISSIPPI.

Enacted 1910.

The board of supervisors of each county is empowered to tax dogs 6 months old or more. If the dog tax is adopted in a county the rate is to be \$1 for males and \$3 for females. The dogs are recorded by the tax assessor and the taxes collected are used for the repair and improvement of public schoolhouses. All dogs in counties requiring a license must wear a collar bearing the name of the owner. If the board of supervisors refuses to levy the tax, a petition from 20 per cent of the qualified electors of the county will grant the people in that county a special election on the subject. When any county levies a tax it must be levied each year thereafter unless voted down in the foregoing manner. In counties requiring the license any person may kill any dog found at large without a collar and license tag, and the dog owner has no right of action.

MISSOURI.

Revised Statutes of 1909.

Municipalities are empowered to tax dogs at their discretion. If sheep or other domestic animals are killed by dogs the owner of the stock so lost may recover against the owner of the dog the full amount of the damages

and the dog owner must kill the dog or forfeit \$1 for every day he refuses to do so. Under "general application" in the "Revised Statutes of 1909" it is held that anyone may kill a dog which has killed sheep, except that no one may kill such a dog on the dog owner's property. In order to recover damages for sheep killed by dogs, it is necessary to allege and prove that the owner of the dog knew of his vicious character. "A person has no right to put poisoned meat on his premises to kill dogs merely trespassing. But if the dogs have killed his sheep, he has the right to poison them."

MONTANA.

1903.

Municipalities are empowered to tax dogs at their discretion and to restrict them from running at large. The law makes it a misdemeanor for a dog owner to allow his dog to chase any live stock on the public range which does not belong to himself. The penalty for such misdemeanor is a fine not to exceed \$50.

NEBRASKA.

From Code of 1913.

Dogs are considered personal property. The municipal authorities of the counties, cities, towns, and townships are empowered to impose a tax on each dog of not more than \$5. Any person may kill any dog found doing damage to any domestic animal except dogs, and any one having reasonable grounds to believe that a dog has been killing, wounding, chasing, or worrying sheep may kill such a dog. Every dog must wear a collar bearing a metal plate on which is inscribed the name of the owner. It is lawful to kill any dog found at large without such a collar. Dog owners are liable to stock owners for damages done by their dogs and are also subject to fine for allowing the dog to damage stock. The damages, however, must be obtained through an action brought against the dog owner in court. Funds raised through the taxation of dogs are in most cases to be used for compensation for damages done to stock by dogs, but in certain of the larger cities the dog fund is turned over to the city treasurer to be used as the council directs.

NEVADA.

Revised Laws of 1912.

City councils are empowered to tax dogs and to regulate the destruction of all unlicensed dogs. A heavy fine is imposed on any one who keeps a vicious dog. It is unlawful to poison any dog intentionally.

NEW HAMPSHIRE.

1913 and 1915.

All dogs over three months of age are to be taxed. The tax on males and spayed females is \$2 and on unspayed females \$3. Dogs are required to wear a collar bearing the owner's name and the registry number of the dog. No self-hunting dogs allowed to run at large "in woods or fields inhabited by game birds or quadrupeds or on lands where sheep are pastured between April first and December first of any year." When a dog is discovered "pursuing or harassing" sheep "or injuring any domestic creature" notice is given the owner of the dog and on second or any subsequent offense the dog owner may be fined \$5. A dog found out of the care of its owner wounding, worrying, or killing sheep may be killed by anyone. Sheep owners may recover damages done to sheep from the "town or city wherein such damage was done."

NEW JERSEY.

As amended 1911-15, 1916-17.

All cities, towns, and villages tax male dogs at \$1 and females \$2, but townships may levy additional dog taxes up to \$5. Dog owners are required to

register their dogs with the town clerk. Each municipal corporation is required to make ordinances for the seizure and killing of all dogs not claimed by any person. All municipal corporations required to enforce the State law by ordinance. Licensed dogs are required to wear a collar containing the license number of the dog and the name of the owner. Owners of dogs are liable for damage done to sheep. If any dog is known to be a sheep killer the owner must kill the dog or cause it to be killed; penalty for failure to kill a dog after being notified to do so subjects the owner to a fine of \$10. Dogs caught killing, wounding, or chasing sheep may be killed by any one, and a dog found at large without a collar may be killed. The 1916 amendment provides for the appraisal of damages to live stock by two freeholders and compensation for such damages from the dog-tax fund. The 1917 law prohibits dogs running at large during certain seasons, except when accompanied and controlled by their masters or being trained.

NEW MEXICO.

Codification of 1915.

The State law requires all cities, towns, and villages to collect a tax of \$1 on each male dog and \$2 on each female, for municipal purposes. A fine of \$10 is imposed on persons who keep a dog and do not pay the tax. A sheep owner has a right of action on the owner of a sheep-killing dog and such dog must be killed by its owner. Each municipality is required to make ordinances regulating the running at large of dogs. No one is allowed to keep a sheep-killing or a vicious dog.

NEW YORK.

Enacted 1917.

Male dogs over four months old are taxed \$2 and females \$3. The license is obtained from the town or city clerk. Every licensed dog is required to be tagged and unlicensed dogs to be killed. Any person may kill any dog while it is "attacking, chasing, or worrying" any domestic animal or is attacking fowls. If the commissioner of agriculture decides that the State regulations are inadequate, he may publish an order that the dogs in such town be confined at night from May 1 to November 1, or any shorter period of time within these dates. The owner of a dog is liable for all damages done by it. "The fact that a dog is without a tag attached to a collar * * * shall be presumptive evidence that such dog is unlicensed and that a tag was not issued and attached as so required. An action shall not be maintained for an injury to or destruction of a dog without a tag" unless the owner can prove that the dog had a tag which was removed without his knowledge or consent. The commissioner of agriculture on his own motion or the application of at least two residents may issue an order restraining the owner of a dog which is "dangerous to persons, domestic animals, or fowls" to run at large outside the premises of the owner, for any length of time specified in the order. If dog owner permits his dog to run at large after receiving such an order he is subject to a fine of \$25. Failure to have a dog licensed causes the dog to be killed if tax is not paid by the owner within five days after the dog is impounded. Dog owners are held liable for all damages done to live stock and in the case of sheep there is added to the amount of the damages \$2 for each ewe of the age of one year or upwards, in the flock "attacked, chased, or worried by such dog." Owners of stock which has been "attacked, chased, worried, injured, or killed by a dog" may present a claim for damages to the commissioner of agriculture, and the commissioner causes an investigation and determines the amount to be paid. Reimbursement is made from the State treasurer's office. Anyone killing a dog must report the same to some village or city official or pay a fine of \$10. Damages paid for by the State are taken from the dog-tax fund.

NORTH CAROLINA.

1913.

North Carolina has no State-wide laws on the dog question. The law must be accepted by each county before it is in force. Upon application of one-third of the qualified voters of a county an election may be held to determine whether or not the dog law is wanted. No dogs can be taxed less than \$1 or more than \$5. Failure to register dogs in counties which have adopted the dog law is a misdemeanor punishable by fine. Anyone can kill a mad dog, sheep-killing dog, or egg-sucking dog on sight, and the owner of the dog can not recover damages. The dog owner is held liable for all damages done to sheep by his dog.

NORTH DAKOTA.

Compiled Laws of 1913.

Municipalities are empowered to tax dogs at their discretion. Dogs caught in the act of killing, wounding, or chasing sheep, or dogs showing that they have recently been engaged in killing, wounding, or chasing sheep may be immediately killed by any person. The owner of a dog is held liable for all damages done to sheep or to other domestic animals.

OHIO.

Enacted 1917.

All dogs over three months of age are to be taxed. The tax on males and spayed females is \$1 and on unspayed females \$2. The certificate of registration is obtained from the county auditor. Unlicensed dogs are to be killed. Licensed dogs must wear their metal tags at all times, and failure to wear the tag is evidence of lack of registration. County sheriffs are instructed to seize and impound all dogs found without registration tags and to sell or destroy such dogs if they are not redeemed within four days. Claims for damages to live stock are presented to the township trustees and must be verified by the testimony of at least two freeholders. Sheep owner must make it known that he does not know the owner of the dog which did the damage, or that damages could not be collected from the dog owner. The county commissioners pass on claims and pay them in June or in December. The dog fund is prorated if insufficient. If stock owner is dissatisfied with the allowance made by the commissioners he may appeal to the probate court. It is lawful to kill any dog caught worrying or chasing sheep. Dog owner is liable for damages done by his dog.

OKLAHOMA.

Revised Laws of 1910.

The dogs are taxed and restrained at the option of city councils. The State law empowers the city councils to prevent dogs running at large. A dog found off his owner's premises in the act of killing or worrying sheep may be killed.

OREGON.

Enacted 1917.

Sheep owners suffering losses present claims for damages to the board of county commissioners. The board allows or disallows the claims and if passed upon favorably the damages are paid by the county out of the dog-tax fund. The law has been attacked as unconstitutional and is at present in litigation. The State law as passed refers only to certain portions of Oregon specified as "lying west of the summit of the Cascade Mountains with the exception of the counties of Josephine, Jackson, Coos, Curry, Lincoln, Tillamook, Clatsop, and Columbia." A tax of \$1.50 is imposed on all males over six months of age and spayed females, and \$3 on unspayed females of the same age. The tax is collected by the constable of each district. The law does not apply to cities having a population of 100,000 or over. Compensation is made to stock owners for losses incurred through dogs.

PENNSYLVANIA.

Enacted 1917.

The license fee for dogs is determined by the county commissioners of each county, but may not exceed \$2 for each male or spayed female, or \$4 for each unspayed female. No dog is allowed to run at large unaccompanied by its owner. Unlicensed dogs are to be killed unless claimed by the owner after being impounded. "Any person may kill any dog which he sees in the act of pursuing, worrying, or wounding any live stock or poultry or attacking human beings, whether or not such dog bears the license tag required." "Any unlicensed dog that enters any field shall constitute a private nuisance, and the owner or tenant of such field or their agent or servant may kill such dog while it is in the field without liability or responsibility of any nature for such killing." Licensed dogs accompanied by the owner are not subject to the foregoing clause unless caught in the act of worrying, wounding, or killing any live stock or poultry. No one is allowed to put poison out for dogs. Every dog is required to be confined or secured by collar and chain or other device between sunset and sunrise every day. Owners of dogs are responsible for damage done to live stock by their dogs. Damages to sheep are appraised by a justice of the peace or by an alderman and are paid for by the county. If the owner of a dog which has committed damages is known he must pay the amount of the damages to the county or kill the dog. (Full text of law on page 24.)

RHODE ISLAND.

As amended 1916.

Owners are required to register their dogs with the town clerk in April of each year. The tax is \$1.15 on males and spayed females and \$5.15 on unspayed females. Licensed dogs are required to have at all times a collar bearing the dog's registry number and the name of the owner. There is a fine of \$10 for owning or keeping a dog not registered. Dogs kept for breeding purposes only and confined or kept in charge of owner at all times need not be registered if a kennel license is paid. It is lawful to kill any dog found off the premises of its owner unattended and without a collar. The dog owner is liable for all damages done by his dog, same to be recovered by an action in court. The dog owner is liable for double the amount of damages to live stock for a second offense committed by the dog and for a second offense the dog is ordered killed. Towns annually appoint appraisers to appraise damages to live stock. These appraisers give a statement of the amount of damages to the sheep owner. The sheep owner presents the statement to the city council and the city council draws an order on the town treasurer for the amount. The town may recover from the dog owner or the sheep owner may recover from the dog owner, but if the sheep owner prefers to sue the owner of the dog he can not recover from the town.

SOUTH CAROLINA.

Code of 1912.

The State law requires that dogs be listed as personal property at the time other assessments are made. A tax of 50 cents is imposed on all dogs except those in Harry County where the tax is \$1. The law specifies that "It shall be lawful for any person who may find a dog in the act of worrying or destroying any sheep in this State to kill said dog, and he shall not be held to answer for any action, civil or criminal." The owner of a dog is liable for double the damages that may be inflicted by the dog on sheep, but the damages must be recovered at the suit of the party sustaining the loss.

SOUTH DAKOTA.

Code of 1903.

Dogs are listed in each county by the county assessor and a tax of \$1 on each dog is levied by the county commissioners. "Any person keeping, owning, or harboring" a dog which "chases, worries, or kills" sheep is liable for all damages committed by such dog. Any person may kill any dog which is found off the premises of its owner in the act of chasing or worrying sheep.

TENNESSEE.

1907. From 1917 edition of Shannon's Code of 1896.

Female dogs three months of age or over must be registered with the county clerk. The tax is \$3 and a collar and a tag bearing the name of the county and the registry number is furnished. There is a fine of from \$5 to \$25 for not registering a female dog. It is unlawful to allow any dog to run at large uncontrolled by its owner except when in the chase. It is a misdemeanor for anyone to keep a dog after notice has been served that such dog has chased or killed sheep. The owner of a dog is liable for all damages done to live stock and ignorance of the dog's habits does not free his owner from liability.

TEXAS.

Revised Civil Statutes of 1911.

The State empowers each county to place a tax on dogs at its discretion, and to prevent dogs from running at large. The law contains no clause regarding damages to sheep.

UTAH.

Amended 1911.

Counties, cities, and towns are empowered to tax. The law is essentially the same as that of Texas.

VERMONT.

As amended in 1912.

All dogs which are four weeks old or over on April 1 are to be registered with the town clerk by their owners. At the time of registry a tax of \$1 is levied on owners of male dogs and spayed females and a tax of \$6 on unspayed females. Dogs not four weeks old on April 1 are registered the following year. If a dog which is known to be vicious is registered, the owner of the dog is subjected to a fine of \$20. Licensed dogs are required to wear collars and unlicensed dogs are to be killed. Sheep owners suffering damage from dogs report their losses and the damages are appraised either by a selectman of the town or by two disinterested parties. Reparation is made by the town from the dog tax fund. If the dog or dogs which have done the damage are identified they are to be killed. Villages may offer rewards for the identification of a sheep-killing dog. The owner of a dog is liable to the town for all damages done by his dog which the town paid for. If the sheep owner wishes he may sue the dog owner instead of recovering damages from the town, and in such instances the owner is liable for twice the amount of the damages plus twice the cost of suit.

VIRGINIA.

1914 and Code of 1916.

The commissioners of revenue list all dogs as personal property and to be taxed as such. Males and spayed females are taxed 50 cents and unspayed females \$1. Damages, not to exceed the value of sheep, appraised by three qualified voters chosen by the justice of peace, are paid from dog tax by the county, the fund being prorated if insufficient. The law does not apply to municipalities having their own dog laws, to counties having special dog tax, or to Caroline, Nansemond, Isle of Wight, or Lancaster Counties. An act of 1916 provides the same measure for Clarke, Frederick, and Charlotte Counties,

but taxing all dogs 75 cents and applying fund to expenses of enforcing the law, damages for sheep, and the destruction of predatory animals. A law of 1914, which does not apply to any city or town requiring a license tax and must be adopted by each county before becoming effective therein, makes it a misdemeanor to fail to confine a dog to the limits of the premises on which he is regularly kept, when unaccompanied by the owner.

WASHINGTON.

Code of 1915. Amended 1917.

The law as given in the 1915 code empowers cities or townships to license dogs and to make ordinances restraining dogs from running at large. The 1917 amendment states that any person can kill any dog found "chasing, biting, injuring, or killing" sheep off the dog owner's premises, but if not killed the dog shall thereafter be kept in leash or confined. If the dog thereafter runs at large any person can kill it. The owner of a dog which has been identified as a sheep killer is notified to kill it within 48 hours and failure so to do imposes a fine on the owner of not less than \$5, and \$1 per day thereafter until such dog is killed. The act does not apply to cities of the first or second class, which regulate the licensing of dogs by ordinance.

WEST VIRGINIA.

Enacted 1917.

County courts and municipal councils issue license to dog owners upon application. There is a tax of 25 cents on all dogs. It is unlawful for anyone to allow his or her dog to run at large on any inclosed land or to trespass upon any land belonging to another. If any dog is permitted to run at large or to "kill or assist in killing, injuring or chasing" sheep the proof that the dog was at large at the time and at place of the injury complained of, is evidence of the guilt of the dog. Any dog found at large in any public place without owner or keeper is seized. No unnaturalized resident can own a dog. Anyone violating the law is subject to fine. The dog owner is liable for all damages done to sheep if the sheep owner successfully prosecutes him. (Full text of law on page 31.)

WISCONSIN.

General Statutes 1915.

The State empowers towns and municipalities to tax dogs not less than \$1 nor more than \$10 and also to make regulations concerning dogs running at large. "Any person may kill any dog * * * found killing, wounding, or worrying" sheep, lambs, or other domestic animals. The owner of a dog is liable for all damages done by his dog even though said owner is ignorant of the disposition of the dog to kill, wound, or worry farm animals. If a dog owner is notified that his dog is worrying or killing live stock he is required to keep the animal confined. After being notified to confine the dog, the owner is liable for double the amount of the damage done by the dog in a second offense, but the damages are to be recovered by the owner of the live stock who suffers the loss. Also the dog, after the first offense may be killed if found off the owner's premises. Neither the State nor the counties make compensation for losses incurred through dogs.

WYOMING.

Towns and municipalities are empowered to tax at their discretion. Dogs used in the forest reserves for the purpose of hunting must be licensed and tagged. On such dogs the tax is \$1. Dogs caught in the act of chasing live stock may be killed in cases where the safety of the stock is threatened, provided the stock so threatened is not upon land belonging to the owner of the dog.

COMPLETE DOG LAWS OF PENNSYLVANIA AND WEST VIRGINIA.

The complete laws of the States of Pennsylvania and West Virginia are given as being examples of modern laws which really offer protection to flockmasters. While the text of these laws will not be suited to every State, their principles could be adopted to advantage.

THE DOG LAW OF PENNSYLVANIA.

AN ACT relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done by dogs, and payment thereof by the proper county to the owners of live stock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State, county, city, borough, town, and township officers and employees, and on city councils of cities of the first and second class; and providing penalties.

SECTION 1. *Be it enacted, etc.,* That this act shall be known and may be cited as the Dog Law of One Thousand Nine Hundred and Seventeen.

SEC. 2. For the purpose of this act the following terms shall have the following meanings respectively designated for each:

The term "live stock" shall include horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids, and swine.

The term "poultry" shall include all domestic fowl.

The word "person" shall include State and local officers or employes, individuals, corporations, copartnerships, and associations. Singular words shall include the plural. Masculine words shall include the feminine and neuter.

The word "owner," when applied to the proprietorship of a dog, shall include every person having a right of property in such dog, and every person who keeps or harbors such dog or has it in his care, and every person who permits such dog to remain on or about any premises occupied by him.

SEC. 3. The term "kennel" shall mean any establishment wherein or whereon dogs are kept for the purpose of breeding, sale, or sporting purposes.

The term "police officer" shall mean any person employed or elected by this Commonwealth, or by any municipality, county, or township, and whose duty it is to preserve peace or to make arrests or to enforce the law. The term includes game, fish and forest-wardens.

SEC. 4. On or before the fifteenth day of January, one thousand nine hundred and eighteen, and on or before the fifteenth day of January of each year thereafter, the owner of any dog six months old or over shall apply to the county treasurer, either orally or in writing, for a license for each such dog owned or kept by him. Such application shall state the breed, sex, age, color, and markings of such dog, and the name and address of the last previous owner; and shall be accompanied by a fee of not less than one dollar, nor more than two dollars, for each male dog and each spayed female dog; and by a fee of not less than two dollars, nor more than four dollars, for each unsplayed female dog. The license fee shall be determined by the commissioners of the several counties of the State, and shall be the only license or tax required for the ownership or keeping of said dog or dogs.

SEC. 5. Such license shall be issued on a form prepared and supplied by the county commissioners. Such license shall be dated and numbered, and shall bear the name of the county issuing it and a description of the dog licensed. All licenses shall be void upon the fifteenth day of January of the following year. The county commissioners shall also furnish, and the county treasurer shall issue, with each license, a metal tag. Such tag shall be affixed to a substantial collar. The collar shall be furnished by the owner, and with the

tag attached shall at all times be kept on the dog for which the license is issued, except when confined in the kennel; and except, also, that dogs owned or used by the Board of Game Commissioners of the Commonwealth, or their special deputy game-protectors, servants, agents, and employes, shall not be required to wear the collar and tag aforesaid when used in hunting wildcat and bear during the winter months of December, January and February in each and every year.

SEC. 6. The county commissioners shall prepare, and furnish annually to the county treasurer, metal tags to be given by the county treasurer to the owners of dogs when such owners shall pay the license fee for said dogs. Such tags shall be of metal, and shall bear the name of the county issuing it, and a serial number corresponding with the number on the license issued to said owner, as provided in the preceding section of this act. Such tags shall also have impressed thereon the calendar year for which such tag is issued, and shall not be more than one inch in length, and shall be equipped with a substantial metal fastening device. The general shape of said tag shall be changed from year to year.

If any such tag is lost it shall be replaced without cost by the county treasurer, upon application by the person to whom the original license was issued, and upon production of such license.

SEC. 7. Any justice of the peace within the county who has qualified by having applied to the county treasurer, and having received and receipted for necessary blanks and tags, may issue such dog license and tags in like manner as prescribed for the issuance of licenses by the county treasurer. When a license is issued by a justice of the peace the person applying for the license shall pay fifteen cents to the said justice, in addition to the other fees prescribed as the cost of said license. Said fifteen cents shall be retained by the justice of the peace as his fee for the issuance of said license and reporting the same and remitting payment therefor to the county treasurer. Such report and remittance shall be made by the justice of the peace within twenty-four hours after the issuance of any license by him; whereupon the county treasurer shall make a record of, and otherwise treat, said license as though it had been issued from his office, except that he shall also note upon his record the name of the justice issuing the license.

Every justice of the peace shall deliver the book or books from which he has issued licenses, together with the stubs therein properly filled out and showing the names of each licensee and the number of the license issued to him, to the county treasurer before the fifteenth day of January of each year.

SEC. 8. Any person becoming the owner, after the fifteenth day of January of any year, of any dog six months old or over which has not already been licensed, or any person owning or keeping a dog which becomes six months old at any time after the fifteenth day of January of any year, shall forthwith apply for and secure a license for such dog in the same manner as the annual license is obtained under the provisions of this act. If any such application is made at any time after the fifteenth day of July of any year the license fee shall be,—for each male or unspayed female dog, one-half of the amount fixed as the annual license, by county commissioners, for male or spayed female dogs; for each unspayed female dog, one-half of the amount fixed as the annual license, by the county commissioners, for unspayed female dogs.

SEC. 9. No license or license tag issued for one dog shall be transferable to another dog, except as provided in sections eleven and twelve of this act. Whenever the ownership or possession of any dog is permanently transferred from one person to another within the same county, the license of such dog may be likewise transferred, upon notice given to the county treasurer. This act does not require the procurement of a new license, or the transfer of a license already secured, when the possession of a dog is temporarily transferred for the purpose of hunting game, or for breeding, trial, or show, in this Commonwealth.

SEC. 10. Whenever any dog licensed in one county is permanently removed to another county, the county treasurer of the county where the license was issued shall, upon the application of the owner or keeper of such dog, certify such license to the treasurer of the county to which the dog is removed. Such treasurers shall thereupon, and upon the payment of a fee of twenty-five cents, issue a license and tag for such dog in the county to which it is removed.

This section does not apply to dogs used during the hunting season for hunting game, or temporarily for breeding, trial, or show, in the Commonwealth; nor

for the transportation of dogs for hunting, breeding, trial, or show purposes, the home county license holding good for such purposes throughout the Commonwealth.

Sec. 11. Any person who keeps or operates a kennel may, in lieu of the license for each dog required by this act, apply to the county treasurer for a kennel license entitling him to keep or operate such kennel. Such license shall be issued by the county treasurer, on a form prepared and supplied by the county commissioners, and shall entitle the licensee to keep any number of dogs six months old or over, not at any time exceeding a certain number to be specified in the license. The fee to be paid for each kennel license shall be five dollars for ten dogs or less, and ten dollars for more than ten dogs, permitted to be kept under the kennel license. With each kennel license the county treasurer shall issue a number of metal tags equal to the number of dogs authorized to be kept in the kennel. All such tags shall bear the name of the county issuing it, the number of the kennel license, and shall be readily distinguishable from the individual license tags for the same year.

Sec. 12. The licensee of a kennel shall, at all times, keep one of such tags attached to a collar on each dog six months old or over kept by him under a kennel license. Such tags may be transferred from one dog to another within the kennel whenever any dog is removed from the kennel. No dog bearing a kennel tag shall be permitted to stray or to be taken anywhere outside the limits of the kennel.

This section does not prohibit the taking of dogs having a kennel license outside the limits of the kennel temporarily and in leash, nor does it prohibit the taking of such dogs out of the kennel temporarily for the purpose of hunting, breeding, trial, or show.

Sec. 13. Any person may bring or cause to be brought into the State, for a period of thirty days, one or more dogs for show, trial, or breeding purposes.

Sec. 14. The county treasurer shall keep a record of all dog licenses, and all kennel licenses, and all permits issued during the year. Such record shall contain the name and address of the person to whom each license or permit is issued. In the case of an individual license, the record shall also state the breed, sex, age, color, and markings of the dog licensed; and in the case of a kennel license, it shall state the place where the business is conducted. The record shall be a public record and open to persons interested, during business hours.

Whenever the ownership or possession of any dog licensed under the provisions of this act is transferred from one person to another, except the temporary transfer of dogs for hunting purposes, or for breeding, trial, or show, as provided in section nine of this act, such transfer shall be noted on the record of the county treasurer.

Sec. 15. An accurate record of all license fees collected by the county treasurer, or paid over to him by any justice of the peace, shall be kept as a matter of information; but all such funds shall be turned into the county funds. All moneys at present in the "dog fund" derived from taxation of dogs, under the existing law, shall be turned into the county fund. All bills incurred under this act, or due at the time of the passage of this act, shall be paid out of the county fund, and any excess moneys collected under this act shall be used for other county purposes.

Sec. 16. The assessors for taxation purposes in each township, borough, town, and city of this Commonwealth shall annually, at the time of assessing property as required by law, make diligent inquiry as to the number of dogs owned, harbored, or kept by any person so assessed.

The assessor shall annually, on or before the thirty-first day of December, make a complete report, on a blank form furnished by the county commissioners, to such commissioners, setting forth the name of every owner of any dog or dogs, how many of each sex are by him owned or harbored, and if a kennel is maintained by any person such fact shall also be stated. It shall be the duty of the assessor, at the time of making the assessment, to notify the owner of such dog or dogs that he must obtain a license for the same as provided for in this act; but the neglect or failure so to notify such owner shall not relieve the owner from his duty to obtain such licenses.

Sec. 17. On and after the fifteenth day of January, one thousand nine hundred and eighteen, it shall be unlawful for any person to own or keep any dog six months old or over unless such dog is licensed by the treasurer of the county in which the dog is kept; and unless such dog at all times wears the collar and tag provided for by this act, unless such dogs are temporarily brought into the State for breeding, trial, or show purposes.

SEC. 18. It shall be the duty of every police officer to seize and detain any dog or dogs which bear a proper license tag, and which are found running at large and unaccompanied by its owner or keeper. It shall be the duty of every police officer to kill any dog which does not bear a proper license tag, which is found running at large. The chief of police or his agents, of any city, the high constable of any borough, or the constable of any borough not having a high constable, and the constable of any incorporated town or township, shall cause any dog bearing a proper license tag and so seized and detained to be properly kept and fed, and shall cause immediate notice, either personal or by registered mail, to be given to the person in whose name the license was procured, or his agent, to claim such dog within ten days. The owner of a dog so detained shall pay all reasonable expenses incurred by reason of its detention, under the provisions of this section, before the dog is returned.

SEC. 19. If, after ten days from the giving of such notice, such dog has not been claimed, such chief of police or his agent, constable, or high constable shall dispose of such dog by sale, or by destruction in some humane manner. No dog so caught and detained shall be sold for the purpose of vivisection. All moneys derived from the sale of such dog, after deducting the expense of its detention, shall be paid to the county treasurer and by him placed in the county fund. For services under sections eighteen and nineteen of this act, such officers shall be paid the sum of one dollar for detaining a licensed dog, and the sum of one dollar for the killing of a dog. All expenses incurred under this act or the preceding section, and not otherwise provided for, shall be paid by the proper county.

SEC. 20. For failure to perform his duty under the provisions of this act, such police officer shall be liable to a penalty of two dollars for each offense, which amount shall be deducted from any amount due such police officer from the county, at any settlement between such officer and the county commissioners.

SEC. 21. Any person may kill any dog which he sees in the act of pursuing, worrying, or wounding any live stock, or attacking human beings, whether or not such dog bears the license tag required by the provisions of this act. There shall be no liability on such person in damages or otherwise for such killing.

Any unlicensed dog that enters any field shall constitute a private nuisance, and the owner or tenant of such field, or their agent or servant, may kill such dog while it is in the field, without liability or responsibility of any nature for such killing.

Licensed dogs when accompanied by their owner or handler shall not be included under the provisions of this section, unless caught in the act of worrying, wounding, or killing any live stock, or attacking human beings.

SEC. 22. All dogs are hereby declared to be personal property and subjects of larceny. Except as provided in section twenty-one of this act, it is unlawful for any person, except a police officer, to kill, injure, or poison, or attempt to kill, injure, or poison, any dog which bears a license tag for the current year.

It is unlawful for any person to place any dog-button, or any poison of any description, in any place on his own premises or elsewhere where it may be easily found and eaten by dogs.

It shall be unlawful for any person, except the owner or authorized agent, to remove any license tag from a dog collar, or to remove any collar with a license tag attached thereto, from any dog.

It shall be unlawful for any person to harbor, or permit to remain about his premises, any dog not having a license.

This section does not prohibit the Board of Game Commissioners, or any of its officers and agents, from placing poison, under the provisions of the game laws of this Commonwealth.

SEC. 23. It is unlawful for the owner or keeper of any female dog to permit such female dog to go beyond the premises of such owner or keeper at any time she is in heat, unless such female dog is held properly in leash.

SEC. 24. The owner or keeper of every dog shall at all times, between sunset and sunrise of each day, keep such dog,—either (a) confined within an enclosure from which it can not escape, or (b) firmly secured by means of a collar and chain or other device so that it can not stray beyond the premises on which it is secured, or (c) under the reasonable control of some person, or when engaged in lawful hunting accompanied by an owner or handler.

SEC. 25. Whenever any person sustains any loss or damage to any live stock or poultry by dogs, or any live stock of any person is necessarily destroyed because of having been bitten by a dog, such person, or his agent or attorney,

may complain to any township auditor, or to any justice of the peace, magistrate, or alderman of the township, town, borough, or city. Such complaint shall be in writing, shall be signed by the person making such complaint, and shall state when, where, and how such damage was done, and by whose dog or dogs, if known. Such township auditor, justice of the peace, magistrate, or alderman shall at once examine the place where the alleged loss or damage was sustained and the live stock or poultry injured or killed, if practicable. He shall also examine, under oath or affirmation, any witness called before him. After making diligent inquiry in relation to such claim, such township auditor, justice, magistrate, or alderman shall determine whether any damage has been sustained and the amount thereof, and, if possible, who was the owner of the dog or dogs by which such damage was done.

Any owner or keeper of such dog or dogs shall be liable to the owner of such live stock or poultry in a civil action for all damages and costs, or to the county to the extent of the amount of damages paid by such county as herein-after provided.

SEC. 26. Upon making the examination required in section twenty-five of this act, the township auditor, justice, magistrate, or alderman shall immediately make a certificate thereto, signed and sealed by him, that such appraisement was regularly and duly made. If, by such examination, it appears that any damage has been sustained by the complainant, the township auditor, justice, magistrate, or alderman shall deliver the report of such examination, and all papers relating to the case, to the claimant, or his agent or attorney, upon payment of the costs up to that time. Such report shall be delivered to the county commissioners to be filed in their office.

SEC. 27. Township auditors, justices of the peace, magistrates, and aldermen, for the special service required under sections twenty-five and twenty-six of this act, shall receive two dollars for each case, and five cents per mile for each mile traveled, to be paid by the claimant in each case. In all cases where damages are awarded, the fees paid by claimants shall be included in the amount of such damages.

SEC. 28. Upon the commissioners of the county receiving such report, if it appears thereby that a certain amount of damage has been sustained by the claimant, they shall immediately draw their order on the treasurer of the county in favor of the claimant for the amount of loss or damage such claimant has sustained according to such report, together with necessary and proper costs incurred. Such amount shall be paid by the proper county. No person shall receive any order for any claim until the township auditor, justice of the peace, magistrate, or alderman before whom the claim was made has certified that due diligence was made to ascertain whose dog or dogs did the damage, and that the carcasses of the live stock or poultry killed, and for which damages have been assessed, were buried within twenty-four hours after the assessment of damages. The owners of any live stock or poultry killed by dogs, or live stock necessarily destroyed because of having been bitten by a dog, shall be paid fifty cents each for burial of such live stock or poultry killed, to be paid as other damages under this section. Upon payment by the county of damages to live stock or poultry by dogs, the rights of the owner of such live stock or poultry against the owner of the dog, to the extent of the amount of damages so paid by such county, shall enure to the benefit of the county.

SEC. 29. No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury. The fact that no such payment has been made shall be certified by the township auditor, justice of the peace, magistrate, or alderman.

When any payment is made by the county for any live stock bitten by a dog, such payment shall not exceed one hundred dollars for each horse or mule, forty dollars for each head of cattle, or six dollars for each head of swine.

SEC. 30. Any valid claims or parts thereof for loss or damage to sheep, horses, mules, cattle, or swine, which have accrued under any general or local laws at any time prior to the passage of this act, shall not abate by reason of the repeal of such general or local act, but shall be paid out of the general fund of the proper county.

All claims or parts thereof remaining unpaid for any reason at the close of any year shall not abate, but shall continue as claims until paid in full.

SEC. 31. If, in the report of the township auditor, justice of the peace, magistrate, or alderman, the name of the owner of any dog or dogs having caused loss or damage to any live stock is definitely and conclusively shown, the

county commissioners shall notify such owner or keeper immediately to kill said dog or dogs; and if said dog or dogs be killed in accordance with such notice or order, the owner or keeper of said dog or dogs shall be exempt from all further liability.

Upon failure, however, of such owner to comply with such order within a period of ten days, he shall be liable for the damages caused by said dog or dogs; and the chief of police or his agent of the township, town, borough, or city in which said dog or dogs are kept shall, upon notice from the county commissioners, kill such dog or dogs wherever found. For such service he shall be entitled to one dollar for each dog so killed, to be paid by the proper county, upon a certified statement to the commissioners that such dog or dogs have been killed by him. The county commissioners shall issue an order on the county treasurer for such amount, unless payment has been made by the owner or keeper of the dog or dogs. Provided, however, That the owner or keeper of any licensed dog or dogs that have caused loss or damage to poultry shall not be obliged to kill said dog or dogs unless said dog or dogs are mad, but shall be liable for said loss or damage.

SEC. 32. It is unlawful for any person knowingly to make any false statement or to conceal any fact required to be disclosed under any of the provisions of this act.

SEC. 33. In any proceedings under this act the burden of proof of the fact that a dog has been licensed, or has been imported for breeding, trial, or show purposes, or that a dog is under the age of six months, shall be on the owner of such dog.

Any dog not bearing a license tag shall prima facie be deemed to be unlicensed.

SEC. 34. The Secretary of Agriculture, through his officers and agents, shall have the general supervision over the licensing and regulation of dogs and protection of live stock and poultry from damage by dogs in all counties of the Commonwealth. The commissioners of each county shall enforce, within their respective jurisdiction, the provisions of this act. To this end the Secretary of Agriculture may employ all proper means for the enforcement of this act. Any other State department, bureau, or commission may, on request of the Commissioner of Agriculture, assist in the enforcement of the provisions of this act.

SEC. 35. Any person violating, or failing or refusing to comply with, any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars, or to undergo an imprisonment not exceeding three months, at the discretion of the court.

All fines collected under the provisions of this act shall be forthwith paid to the treasurer of the proper county.

SEC. 36. This act is intended as a complete and uniform system throughout the Commonwealth for the licensing of dogs and the protection of live stock and poultry from injury by dogs; but nothing in this act shall interfere with any law for the protection and preservation of game. Except where such acts or parts of acts are specifically repealed, this act does not repeal or affect any acts or parts of acts relating to mad dogs or dogs affected with any disease.

SEC. 37. Nothing in this act shall be construed to prevent the owner of a licensed dog from recovery, by action at law, the value of any dog which dog has been illegally killed by any police officer, farmer, stockman, or other person within this Commonwealth, from said police officer, farmer, stockman, or other person. In case such police officer or other person fails to pay the value of such dog so killed, the same shall be paid by the proper county. Said value of said dog to be ascertained in the same manner and form as provided in section twenty-five of this act for assessing the damage done to live stock by dogs.

Nothing in this act shall be so construed as to prevent the killing of a dog caught chasing deer at any time of the year, on either public or private lands; or to prevent the killing of dogs by any officer empowered to enforce the game laws of this Commonwealth when said dogs are pursuing game during the closed season for the training of dogs on game, providing said dogs are not under the immediate control or accompanied by their owners or keepers, and also provided that legal notice has previously been given said owner or keeper as required by the game laws of this Commonwealth.

SEC. 38. In the event that any one or more of the provisions of this act should be decided to be unconstitutional, the court's decision holding the same unconstitutional shall not affect the validity of the remaining provisions of this act,

it being the intention of the Legislature that the provisions of this act are severable.

SEC. 39. The powers and duties given to and imposed upon county commissioners and other officers by this act shall not extend to cities of the first and second class. In cities of the first and second class the power and duty to fix and collect the license fees provided in section four of this act, and issue license tags, and otherwise perform and carry out the provisions of this act within the limits of such cities shall be, and are hereby, given to and imposed upon the council or councils of each of said cities respectively.

SEC. 40. This act does not repeal or in anywise affect any of the provisions of the following acts:

The act, approved the first day of May, one thousand nine hundred and nine (Pamphlet Laws, three hundred twenty-five), entitled "An act to provide for the protection and preservation of game, game-quadrupeds and game-birds, and song and insectivorous and other wild birds, and prescribing penalties for violation of its several provisions."

The act, approved the fifteenth day of April, one thousand nine hundred and fifteen (Pamphlet Laws, one hundred thirty-three), entitled "An act to amend section twenty-one of an act, entitled 'An act to provide for the protection and preservation of game, game-quadrupeds and game-birds, and song and insectivorous and other wild birds, and prescribing penalties for violation of its several provisions,' approved the first day of May, Anno Domini one thousand nine hundred and nine, by extending the season during which dogs may be trained."

The act, approved the first day of June, one thousand nine hundred and fifteen (Pamphlet Laws, six hundred forty-four), entitled "An act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania; prohibiting the hunting for, or capture or killing, of such wild birds or animals or game by unnaturalized foreign-born residents; forbidding the ownership or possession of dogs by any unnaturalized foreign-born resident within the Commonwealth; and prescribing penalties for violation of its provisions."

SEC. 41. The following acts and parts of acts are hereby repealed:

The act, approved the eighteenth day of May, one thousand eight hundred and seventy-eight (Pamphlet Laws, seventy-two), entitled, "An act extending the provisions of an act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster Counties, approved the sixth day of April, Anno Domini one thousand eight hundred and fifty-four, to all the counties of this Commonwealth."

The act, approved the twelfth day of June, one thousand eight hundred and seventy-eight (Pamphlet Laws, one hundred ninety-eight, number two hundred thirty-one), entitled "An act for the taxation of dogs and the protection of sheep."

The act, approved the fifteenth day of May, one thousand eight hundred and eighty-nine (Pamphlet Laws, two hundred twenty-two), entitled "An act for the taxation of dogs and the protection of sheep."

The act, approved the twenty-fifth day of May, one thousand eight hundred and ninety-three (Pamphlet Laws, one hundred thirty-six), entitled "An act for the taxation of dogs and the protection of sheep."

The act, approved the seventh day of June, one thousand eight hundred and ninety-seven (Pamphlet Laws, one hundred thirty, number one hundred five), entitled "A supplemental to 'An act for the taxation of dogs and the protection of sheep,' approved the twenty-fifth day of May, Anno Domini one thousand eight hundred and ninety-three, providing for the payment of claims which have accrued under local laws."

The act, approved the eleventh day of April, one thousand nine hundred and one (Pamphlet Laws, seventy-three, number forty-three), entitled "A supplement to an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the twenty-fifth day of May, Anno Domini one thousand eight hundred and ninety-three, providing that the fund raised by the taxation of dogs be applied, in addition to the loss of sheep, for the loss of other domestic animals bitten by mad dogs."

The act, approved the twenty-third day of April, one thousand nine hundred and one (Pamphlet Laws, ninety-two), entitled "An act to amend the ninth section of an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the twenty-fifth day of May, one thousand eight hundred and ninety-three."

The act, approved the first day of March, one thousand nine hundred and five (Pamphlet Laws, twenty-eight), entitled "An act to amend the fifth section

of an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the twenty-fifth day of May, Anno Domini one thousand eight hundred and ninety-three, by requiring proof of the burial of the carcasses of sheep killed by dogs."

The act, approved the first day of June, one thousand nine hundred and seven (Pamphlet Laws, three hundred sixty-two), entitled "An act supplementary to 'An act for the taxation of dogs and the protection of sheep,' approved the twenty-fifth day of May, Anno Domini one thousand eight hundred and ninety-three; requiring all dogs to wear a collar to be provided by the owner, together with a tag to be attached thereto showing payment of tax; imposing certain duties upon constables, tax collectors, and county commissioners; and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement."

The act, approved the twenty-third day of April, one thousand nine hundred and nine (Pamphlet Laws, one hundred seventy), entitled "An act to amend the tenth section of an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the twenty-fifth day of May, Anno Domini one thousand eight hundred and ninety-three, by making the act applicable to counties having over one hundred and fifty thousand, and less than two hundred and fifty thousand inhabitants."

The act, approved the fifteenth day of June, one thousand nine hundred and eleven (Pamphlet Laws, nine hundred sixty-eight), entitled "An act supplementary to 'An act for the taxation of dogs and the protection of sheep,' approved the twenty-fifth day of May, Anno Domini one thousand eight hundred and ninety-three; requiring all dogs to wear a collar to be provided by the owner, together with a tag to be attached thereto showing payment of tax, said tag to be provided by the county commissioners; imposing certain duties upon constables, tax collectors, and county commissioners; and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement; and providing penalties for failure to comply with the provisions of this act."

The act, approved the twentieth day of May, one thousand nine hundred and thirteen (Pamphlet Laws, two hundred fifty-nine), entitled "An act to amend the first and third section of an act, approved the fifteenth day of June, one thousand nine hundred eleven, entitled 'An act supplementary to "An act for the taxation of dogs and the protection of sheep," approved the twenty-fifth day of May, Anno Domini one thousand eight hundred and ninety-three; requiring all dogs to wear a collar to be provided by the owner, together with a tag to be attached thereto showing payment of tax, said tag to be provided by the county commissioners; imposing certain duties upon constables, tax collectors, and county commissioners; and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement; and providing penalties for failure to comply with the provisions of this act,' by making its provisions apply to all dogs of four months old and upwards; and to provide that the payment of the proper tax, and the giving of a tag by the collector, shall be sufficient assessment for all purposes."

The act, approved the third day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred ninety, number three hundred fifty), entitled "An act for the protection of sheep and the incidental destruction of certain dogs."

The act, approved the third day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred ninety-one), entitled "An act amending an act, entitled 'An act supplementary to "An act for the taxation of dogs and the protection of sheep," approved the twenty-fifth day of May, Anno Domini one thousand eight hundred and ninety-three; requiring all dogs to wear a collar to be provided by the owner, together with a tag to be attached thereto showing payment of tax, said tag to be provided by the county commissioners; imposing certain duties upon constables, tax collectors, and county commissioners; and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement, and providing penalties for failure to comply with the provisions of this act,' approved the fifteenth day of June, one thousand nine hundred eleven, as amended, so that assessors of the several cities, wards, boroughs, townships, or other assessment districts of this Commonwealth, shall collect an annual license fee for said dogs at the time of the annual assessment and issue a receipt and tag therefor; providing for the publication of the assessor's list of licensed dogs; requiring that all unlicensed dogs be killed, and fixing penalties for the violation of this act."

The act, approved the twenty-fourth day of April, one thousand nine hundred and three (Pamphlet Laws, two hundred ninety-six), entitled "An act to amend section one hundred and fifty-four of the act of March twenty-one, one thousand eight hundred and sixty, entitled 'An act to consolidate, revise, and amend the penal laws of this Commonwealth,'" is hereby repealed in so far as it relates to dogs.

Section 42. All other acts or parts of acts, general, local, or special, inconsistent with or supplied by this act, are hereby repealed.

THE DOG LAW OF WEST VIRGINIA.

Enacted May 25, 1917. Effective 60 days from passage.

AN ACT relating to the protection of sheep and the conservation of the food supply necessary for the maintenance of the people.

SECTION 1. It shall be unlawful for any person to suffer or permit any dog in his possession or kept by him about his premises, to run at large on any unenclosed land, or trespass upon any enclosed or unenclosed lands of another.

If any dog be suffered or permitted to run at large or trespass as aforesaid, or kill or assist in killing, injuring, or chasing any sheep or other domestic animals out of the enclosure of the owner or keeper of such dog, proof that such dog was at large at the time and place of injury complained of shall be prima facie evidence of liability and guilt, as hereinafter provided.

SEC. 2. The county court of every county and the council of every municipality, shall prepare and deliver to its assessor, sheriff, constables, or other police officers, consecutively numbered substantial aluminum or brass tags, bearing the calendar year and the name of the county or municipality issuing such tag which shall be delivered by them to any citizen of the county or municipality who may apply therefor and pay into its treasury a fee of not more than twenty-five cents for each tag, which tags shall be fastened upon the collars worn by the dogs owned or kept by such citizens, and for which fee such officer shall issue a receipt showing the name and address of the citizen and the year and number of the tag. Such officer shall also keep a record book showing the name and address of each citizen to whom such tags are issued, the number of such tag so issued and the year thereof.

Any citizen may, and the sheriff, constables or other police officers of any county, district or municipality, shall seize any dog found unaccompanied by its owner or keeper and running at large on any road, street or other public place, or trespassing on any premises other than the premises of the owner. If such dog is wearing a collar bearing such tag, it shall be impounded and the citizen or officer so seizing and impounding said dog shall immediately thereafter by written notice notify the owner of such dog as disclosed by the records herein provided for to be kept that such dog has been seized and impounded by him and unless such owner or keeper of such dog shall, within seven days from the receipt of said notice claim such dog, and pay such citizen or officer a fee of two dollars for seizing, and a fee of ten cents for each day it is impounded, it shall be killed forthwith in any humane manner. Provided, that any citizen or officer may kill any dangerous or vicious dog, or any dog not registered as herein provided for, or any dog permitted to run at large after the owner or keeper shall have had notice not to permit such dog to run at large, if such dog be off the premises and out of the control of its owner or keeper. No citizen or officer shall be liable in damages or to prosecution by reason of killing any dog as herein provided. For every dog seized and not claimed by its owner or keeper as aforesaid, the county court shall pay the citizen or officer entitled thereto said fees and costs upon due proof of the seizure, impounding and killing of such dog; and the owner or keeper shall be liable therefor in any action before the court or justice having jurisdiction; provided, further, that it shall be the duty of the common council of every incorporated city, town or village in this state, to provide a suitable pound for such dog or dogs so seized under the provisions of this act.

SEC. 3. It shall be unlawful for any unnaturalized foreign-born resident of this state to own or keep a dog of any kind in this state.

SEC. 4. Nothing in this act shall be construed to prevent any citizen of this state from lawfully hunting with a dog or dogs on any land owned by him or by any person from whom such citizen has first secured permission to hunt with a dog or dogs; and no citizen shall hunt with a dog or dogs upon the land of another without written or verbal permission from the owner or lessee thereof.

SEC. 5. Any person violating any provision of this act or failing or neglecting to perform any duty imposed by it, shall be liable, in an action or prosecution before any court or justice having jurisdiction, for the amount of damage sustained, and also for a fine of not less than five or more than one hundred dollars and the cost of prosecution, or to imprisonment in the county jail not more than thirty days, or to both fine and imprisonment; and any person who shall remove from any dog a collar bearing a tag as provided for in this act, or who shall alter or remove any such tag from a dog properly registered as herein provided for shall be guilty of a misdemeanor, and, upon conviction shall be fined not to exceed five or more than one hundred dollars and the cost of the prosecution, or to imprisonment in the county jail not more than thirty days, or to both fine and imprisonment and shall be liable to the owner or keeper of such dog in a civil action for the amount of damages sustained.

SEC. 6. All acts and parts of acts inconsistent herewith are hereby repealed.

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